

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

Civil Application No. 5250/2007

(V.I.D.C.,thr. Executive Engineer **VERSUS** Sukhdeo Tukaram Fulzele & others)

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Mr.Patil, Advocate for the applicant.

Mr.Sonwane, Advocate for the respondents.

CORAM : Smt. Vasanti A. Naik, J.

DATE : 4th September, 2007.

Heard the learned counsel for the parties.

For the reasons stated in the civil application, the delay in filing the first appeal is condoned and the civil application is allowed and disposed of.

FIRST APPEAL ST. NO.1449/2007.

Heard the learned counsel for the parties.

ADMIT.

It appears that the land acquisition officer had granted compensation @ Rs.20,700/- per Hectare for the land. The reference Court enhanced the same and granted compensation @ Rs.75,000/- per Hectare. Since several connected first appeals where land was acquired for the same project are admitted and the appellant V.I.D.C. is directed to deposit 50% and 40% of the compensation payable under the award, it would be necessary to direct the appellant to deposit

some amount in this Court. In the facts and circumstances of the case, the appellant is directed to deposit 60% of the amount payable under the award in this Court within a period of six weeks from today. The judgment passed by the reference Court is stayed only on the condition that the appellant makes the aforesaid deposit in this Court within a period of six weeks from today. After the appellant deposits the amount in this Court, the respondent is permitted to withdraw the same on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial).

JUDGE

APTE